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**OFFICE OF PETITIONS
ON PETITION**

JERRY L. LOSEE
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LAVA HOT SPRINGS ID 83246

In re Application of
Jerry L. Losee
Application No. 09/223,870
Filed: December 31, 1998
Title of Invention: MULTIPLE SHOP SOCKET
TOOL

This is a decision on the petition under 37 CFR 1.137(b), filed January 27, 2004, to revive the above identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the non-Final Office Action mailed December 26, 2001. A shortened statutory period of one (1) month was set for replying to the non-Final Office Action. Accordingly, a Notice of Abandonment was mailed October 23, 2003.

Petitioner files the instant petition under 37 CFR 1.137(b).¹

An amendment was filed February 26, 2002 but since no extension of time was obtained, the response was filed after the application became abandoned.

Additionally, the application file does not indicate a change of address has been filed in this case, although the address given on the petition differs from the address of record. A change of address should be filed in this case in accordance with MPEP 601.03. A courtesy copy of this decision is being mailed to the address noted on the petition. However, until otherwise instructed, all future correspondence regarding this application will be mailed solely to the address of record.

This application is being forwarded to Technology Center 3723 for appropriate action on the amendment filed February 26, 2002.

Telephone inquiries concerning this matter should be directed to the undersigned Petitions Attorney at (703) 305-4497.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc:
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Lava Hot Springs, ID 83246

¹Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(c).